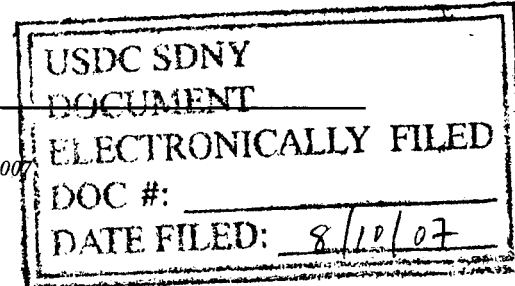


United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 30, 2007



By Hand

Honorable William H. Pauley III
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: James Russo v. MP222 L.L.C. et al.
07 Civ. 5469 (WHP)

Dear Judge Pauley:

The Court has scheduled a pre-trial conference in the above-referenced case for Friday, August 17, 2007. I will be out of the Office that day and unable to attend the conference. In addition, Joseph Lessem, counsel for defendant MP222 LLC, is also unavailable, as he is out of the country the weeks of August 13 and August 20. Richard Agins, counsel for plaintiff James Russo, is on vacation from August 24 through September 4. John A. Coleman, the attorney for 222 East 95th Street Owners Corp., is on jury duty on September 7. In addition, James A. Russo, the third-party-defendant, has not yet been served with the third-party complaint.

Due to scheduling conflicts and religious observances, the parties therefore respectfully request that the conference be adjourned until September 28. Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

Application granted. The conference will be at 10:15 a.m.
SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.
8/9/07

By:

KATHLEEN A. ZEBROWSKI
Assistant United States Attorney
Telephone No.: (212) 637-2710
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Honorable William H. Pauley III

-2-

cc:

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New York State Department of Taxation and Finance (by first-class mail)
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New York City Department of Finance (by first-class mail)
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